

# Declaration and Power of Attorney for Patent Application

## 特許出願宣言書及び委任状

### Japanese Language Declaration

#### 日本語宣言書

下記の氏名の発明者として、私は以下の通り宣言します。

As a below named inventor, I hereby declare that:

私の住所、私書箱、国籍は下記の私の氏名の後に記載された通りです。

My residence, post office address and citizenship are as stated next to my name.

下記の名称の発明に関して請求範囲に記載され、特許出願している発明内容について、私が最初かつ唯一の発明者（下記の氏名が一つの場合）もしくは最初かつ共同発明者であると（下記の名称が複数の場合）信じています。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

"VITAMIN D<sub>3</sub> DERIVATIVE AND TREATING

AGENT FOR INFLAMMATORY RESPIRATORY

DISEASE USING SAME"

上記発明の明細書（下記の欄でx印がついていない場合は、本書に添付）は、

the specification of which is attached hereto unless the following box is checked:

☐ \_\_月\_\_日に提出され、米国出願番号または特許協定条約国際出願番号を\_\_\_\_とし、  
（該当する場合）\_\_\_\_に訂正されました。

☒ was filed on October 22, 1999  
as United States Application Number or PCT  
International Application Number  
PCT/JP99/05826 and was amended on  
\_\_\_\_ (if applicable)

私は、特許請求範囲を含む上記訂正後の明細書を検討し、内容を理解していることをここに表明します。

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は、連邦規則法典第37編第1条56項に定義されるとおり、特許資格の有無について重要な情報を開示する義務があることを認めます。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

# Japanese Language Declaration

## 日本語宣言書

私は、米国法典第35編119条(a)-(d)項又は365条(b)項に基づき下記の、米国以外の国の少なくとも一カ国を指定している特許協力条約365(a)項に基づく国際出願、又は外国での特許出願もしくは発明者証の出願についての外国優先権をここに主張するとともに、優先権を主張している、本出願の前に出願された特許または発明者証の外国出願を以下に、枠内をマークすることで、示しています。

I hereby claim foreign priority under Title 35, United States Code, § 119(a)-(d) or § 365 (b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Prior foreign application(s)  
外国での先行出願

Priority Not Claimed  
優先権主張なし

10-302321 (Number) (番号)	Japan (Country) (国名)
10-362827 (Number) (番号)	Japan (Country) (国名)
10-365207 (Number) (番号)	Japan (Country) (国名)

23/October/1998 (Day/Month/Year Filed) (出願年月日)	<input type="checkbox"/>
21/December/1998 (Day/Month/Year Filed) (出願年月日)	<input type="checkbox"/>
22/December/1998 (Day/Month/Year Filed) (出願年月日)	<input type="checkbox"/>

私は、第35編米国法典119条(e)項に基づいて下記の米  
国特許出願規定に記載された権利をここに主張いたします。

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

(Application No.) (出願番号)	(Filing Date) (出願日)
-----------------------------	------------------------

(Application No.) (出願番号)	(Filing Date) (出願日)
-----------------------------	------------------------

私は、下記の米国法典第35編120条に基づいて下記の米  
国特許出願に記載された権利、又は米国を指定している特許  
協力条約365条(c)に基づき権利をここに主張します。ま  
た、本出願の各請求範囲の内容が米国法典第35編112条  
第1項又は特許協力条約で規定された方法で先行する米  
国特許出願に開示されていない限り、その先行米  
国特許出願提出日以降で本出願の日本国内または特許協力条約国際提出日  
までの期間中に入手された、連邦規則法典第37編1条56項  
で定義された特許資格の有無に関する重要な情報について開  
示義務があることを認識しています。

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

(Application No.) (出願番号)	(Filing Date) (出願日)
-----------------------------	------------------------

(Status)(patented, pending, abandoned) (現況：特許許可済、保属中、放棄済)
--

(Application No.) (出願番号)	(Filing Date) (出願日)
-----------------------------	------------------------

(Status)(patented, pending, abandoned) (現況：特許許可済、保属中、放棄済)
--

私は、私自身の知識に基づいて本宣言書中で私が行なう表  
明が真実であり、かつ私の入手した情報と私の信じることに  
基づく表明が全て真実であると信じていること、さらに故  
意になされた虚偽の表明及びそれと同等の行為は米国法典第  
18編第1001条に基づき、罰金または拘禁、もしくはそ  
の両方により処罰されること、そしてそのような故意による  
虚偽の声明を行なえば、出願した、又は既に許可された特許  
の有効性が失われることを認識し、よってここに上記のごと  
く宣誓を致します。

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

# Japanese Language Declaration

## 日本語宣言書

委任状： 私は下記の発明者として、本出願に関する一切の手続きを米特許商標局に対して遂行する弁理士または代理人として、下記の者を指名いたします。（弁理士、または代理人の氏名及び登録番号を明記のこと）

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: (list name and registration number)

John H. Mion, Reg. No. 18,879; Thomas J. Macpeak, Reg. No. 19,292; Robert J. Seas, Jr., Reg. No. 21,092; Darryl Mexic, Reg. No. 23,063; Robert V. Sloan, Reg. No. 22,775; Peter D. Olexy, Reg. No. 24,513; J. Frank Osha, Reg. No. 24,625; Waddell A. Biggart, Reg. No. 24,861; Louis Gubinsky, Reg. No. 24,835; Neil B. Siegel, Reg. No. 25,200; David J. Cushing, Reg. No. 28,703; John R. Inge, Reg. No. 26,916; Joseph J. Ruch, Jr., Reg. No. 26,577; Sheldon I. Landsman, Reg. No. 25,430; Richard C. Turner, Reg. No. 29,710; Howard L. Bernstein, Reg. No. 25,665; Alan J. Kasper, Reg. No. 25,426; Kenneth J. Burchfiel, Reg. No. 31,333; Gordon Kit, Reg. No. 30,764; Susan J. Mack, Reg. No. 30,951; Frank L. Bernstein, Reg. No. 31,484; Mark Boland, Reg. No. 32,197; William H. Mandir, Reg. No. 32,156; Brian W. Hannon, Reg. No. 32,778; Abraham J. Rosner, Reg. No. 33,276; Bruce E. Kramer, Reg. No. 33,725; Paul F. Neils, Reg. No. 33,102; Brett S. Sylvester, Reg. No. 32,765; Robert M. Masters, Reg. No. 35,603; George F. Lehnigk, Reg. No. 36,359; John T. Callahan, Reg. No. 32,607 and Steven M. Gruskin, Reg. No. 36,818.

### 書類送付先

Send Correspondence to:  
SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC  
2100 Pennsylvania Avenue, N.W. Suite 800  
Washington, D.C. 20037-3213

### 直接電話連絡先：（名前及び電話番号）

Direct Telephone Calls to:

(202)293-7060

唯一または第一発明者名	Full name of sole or first inventor Kazuya TAKENOUCHI
発明者の署名 日付	Inventor's signature <i>Kazuya Takenouchi</i> Date March 9, 2001
住所	Residence TOKYO, JAPAN
国籍	Citizenship Japanese
私書箱	Post Office Address c/o Teijin Limited, Tokyo Research Center, 3-2, Asahigaoka 4-chome, Hino-shi, TOKYO, 191-0065 JAPAN
第二共同発明者	Full name of second joint inventor, if any Qingzhi GAO
第二共同発明者 日付	Second inventor's signature <i>Qingzhi Gao</i> Date March 9, 2001
住所	Residence TOKYO, JAPAN
国籍	Citizenship Chinese
私書箱	Post Office Address c/o Teijin Limited, Tokyo Research Center, 3-2, Asahigaoka 4-chome, Hino-shi, TOKYO, 191-0065 JAPAN

（第三以降の共同発明者についても同様に記載し、署名をすること）

(Supply similar information and signature for third and subsequent joint inventors.)

# Japanese Language Declaration

## 日本語宣言書

第三の共同発明者の氏名 (該当する場合)		Full name of third joint inventor, if any Kenji MANABE	
同第三発明者の署名	日付	Third inventor's signature <i>Kenji Manabe</i>	Date March 9, 2001
住所		Residence TOKYO, JAPAN	
国籍		Citizenship Japanese	
郵便の宛先		Post office address c/o Teijin Limited, Tokyo Research Center, 3-2, Asahigaoka 4-chome, Hino-shi, TOKYO, 191-0065 JAPAN	
第四の共同発明者の氏名 (該当する場合)		Full name of fourth joint inventor, if any Ryo SOGAWA	
同第四発明者の署名	日付	Fourth inventor's signature <i>ソガワ</i>	Date March 9, 2001
住所		Residence TOKYO, JAPAN	
国籍		Citizenship Japanese	
郵便の宛先		Post office address c/o Teijin Limited, Tokyo Research Center, 3-2, Asahigaoka 4-chome, Hino-shi, TOKYO, 191-0065 JAPAN	
第五の共同発明者の氏名 (該当する場合)		Full name of fifth joint inventor, if any Yasuhiro TAKANO	
同第五発明者の署名	日付	Fifth inventor's signature <i>高野泰宏</i>	Date March 9, 2001
住所		Residence TOKYO, JAPAN	
国籍		Citizenship Japanese	
郵便の宛先		Post office address c/o Teijin Limited, Tokyo Research Center, 3-2, Asahigaoka 4-chome, Hino-shi, TOKYO, 191-0065 JAPAN	
第六の共同発明者の氏名 (該当する場合)		Full name of sixth joint inventor, if any Seiichi ISHIZUKA	
同第六発明者の署名	日付	Sixth inventor's signature <i>Seiichi Ishizuka</i>	Date March 9, 2001
住所		Residence TOKYO, JAPAN	
国籍		Citizenship Japanese	
郵便の宛先		Post office address c/o Teijin Limited, Tokyo Research Center, 3-2, Asahigaoka 4-chome, Hino-shi, TOKYO, 191-0065 JAPAN	

日本語宣言書

[illegible]

## Assignment

Whereas, I/We, Kazuya Takenouchi, Qingzhi Gao, Kenji Manabe, Ryo Sogawa, Yasuhiro Takano and Seiichi Ishizuka of c/o Teijin Limited, Tokyo Research Center, 3-2, Asahigaoka 4-chome, Hino-shi, TOKYO, 191-0065 JAPAN,

respectively, hereinafter called assignor(s), have invented certain improvements in "VITAMIN D<sub>3</sub> DERIVATIVE AND TREATING AGENT FOR INFLAMMATORY RESPIRATORY DISEASE USING SAME"

(International Application No. PCT/JP99/05826)

and executed an application for Letters Patent of the United States of America therefor

FILED  
APR 23 2001

March 9, 2001 ; and

Whereas, Teijin Limited, a Japanese Body Corporate, of 6-7, Minamihommachi 1-chome, Chuo-ku, Osaka-shi, OSAKA 541-0054 JAPAN, (assignee), desires to acquire the entire right, title, and interest in the application and invention, and to any United States patents to be obtained therefor;

Now therefore, for valuable consideration, receipt whereof is hereby acknowledged,

I/We, the above named assignor(s), hereby sell, assign and transfer to the above named assignee, its successors and assigns, the entire right, title and interest in the application and the invention disclosed therein for the United States of America, including the right to claim priority under 35 U.S.C. §119, and I/we request the Commissioner of Patents to issue any Letters Patent granted upon the invention set forth in the application to the assignee, its successors and assigns; and I/we will execute without further consideration all papers deemed necessary by the assignee in connection with the United States application when called upon to do so by the assignee.

I/We hereby authorize and request our attorneys SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC of 2100 Pennsylvania Avenue, NW, Washington, DC 20037-3213 to insert here in parentheses (Application number , filed ) the filing date and application number of said application when known.

Date: March 9, 2001 Kazuya Takenouchi  
s/ Kazuya Takenouchi

Date: March 9, 2001 Qingzhi Gao  
s/ Qingzhi Gao

Date: March 9, 2001 Kenji Manabe  
s/ Kenji Manabe

Date: March 9, 2001 十川 亮  
s/ Ryo Sogawa

Date: March 9, 2001 高野 泰宏  
s/ Yasuhiro Takano

Date: March 9, 2001 Seiichi Ishizuka  
s/ Seiichi Ishizuka

(Legalization not required for recording but is prima facie evidence of execution under 35 U.S.C. §261)